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Attorney for Deon Goodgain

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DEON GOODGAIN,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No.: 2:23-cv-01168 JDP

**STIPULATION AND ~~PROPOSED~~ ORDER  
FOR PAYMENT OF PLAINTIFF'S  
ATTORNEY FEES**

To the Honorable JEREMY D. PETERSON, it is hereby stipulated by and between the parties through their undersigned counsel, subject to the approval of the Court, that DEON GOODGAIN be awarded attorney fees and expenses in the amount of \$7583.22 under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d). This amount represents compensation for all legal services rendered on behalf of Plaintiff by counsel in connection with this civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d). After the Court issues an order for EAJA fees to DEON GOODGAIN, the government will consider the matter of assignment of EAJA fees to PETER BRIXIE. The retainer agreement containing the assignment is attached as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability to honor the assignment will depend on whether the fees are subject to any offset allowed under the United States Department of the Treasury's Offset Program. After the order for EAJA fees is entered, the government will determine whether they are subject to any offset.

1 Fees shall be made payable to DEON GOODGAIN, but if the Department of the Treasury  
2 determines that DEON GOODGAIN does not owe a federal debt, then the government shall  
3 cause the payment of fees, expenses and costs to be made directly to PETER BRIXIE pursuant to  
4 the assignment executed by DEON GOODGAIN. Any payments made shall be delivered to  
5 PETER BRIXIE. This stipulation constitutes a compromise settlement of DEON GOODGAIN  
6 vs. COMMISSIONER OF SOCIAL SECURITY request for EAJA attorney fees, and does not  
7 constitute an admission of liability on the part of Defendant under the EAJA or otherwise.  
8 Payment of the agreed amount shall constitute a complete release from, and bar to, any and all  
9 claims that DEON GOODGAIN may have relating to EAJA attorney fees in connection  
10 with this action. This award is without prejudice to the rights of PETER BRIXIE to seek Social  
11 Security Act attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of  
12 the EAJA.  
13

14 Respectfully submitted,

15 Dated: 9/17/2024

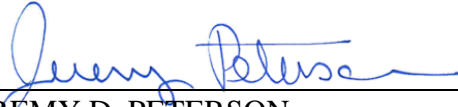
16 By: /s/ Peter Brixie  
17 PETER E. BRIXIE  
18 Attorney at Law  
19 Attorney for Plaintiff

20 Dated:

21 By:  
22 UNA MCGEEHAN  
23 Special Assistant United States Attorney  
24 Attorneys for Defendant

25 IT IS SO ORDERED.

26 Dated: October 1, 2024

27   
28 JEREMY D. PETERSON  
UNITED STATES MAGISTRATE JUDGE